

KNOX COUNTY COMMISSION

Regular Meeting

Tuesday – August 11, 2009 – 4:00 p.m.

The regular meeting of the Knox County Commission was held on Tuesday, August 11, 2009, at 4:00 p.m., at the county courthouse, 62 Union Street, Rockland, Maine. Executive Assistant Constance Johanson was present to record the minutes of the meeting.

Commission members present were: Anne Beebe-Center, Commissioner District #1, Richard L. Parent, Jr., Commissioner District #2, and Roger A. Moody, Commissioner District #3.

County staff present included: County Administrator Andrew Hart, Sheriff Donna Dennison, IT Director Jeff Lake, Communications Director Linwood Lothrop, Finance Director Kathy Robinson, and Executive Assistant Constance Johanson.

Also present were: David Martucci, Assessor’s Agent for the Town of Thomaston; Frederick Newcomb III., Esq., representing Thomaston Auction Properties, L.L.C.; Chief Charles Jordan of the Rockland Fire Department, Chief Chris Farley of the Camden Fire Department, Auditor James W. Wadman, and Chris Shrum of KWRED.

Regular Meeting – Agenda		
Tuesday – August 11, 2009 – 4:00 p.m.		
I.	4:00	Meeting Called To Order
II.	4:05	Public Comment - Public Comment during other portions of the meeting will only be granted by permission of the chair.
III.	4:20	Consent Items
		1. Approve Consent Items as Presented:
		a. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
		b. Approve Minutes of Special Commission Meeting of July 14, 2009.
		c. Approve Minutes of Special Commission Meeting of July 30, 2009.
		d. Accept Monthly Written Departmental Reports.
		e. Approve Reserve Withdrawals.
		f. Approve Budget Line Transfers.
IV.	4:25	Action Items
		1. Act on Decision of Tax Abatement Appeal: Thomaston Auction Properties, LLC vs. Thomaston Board of Assessors.
		2. Act to Authorize the County Administrator and Director of Communications to Solicit Request for Proposals for Radio Console Replacements and Upgrades (A. Hart, L. Lothrop).
		3. Act to Authorize the County Administrator to Negotiate a Contract for the Granite Step Replacement Project and the Finance Office Window Replacement Project.
		4. Act on Approval of Two Appointments to the PENQUIS Knox County Steering Committee (A. Hart).
		5. Act on Contract Extension for County Administrator (A. Hart).
V.	4:35	Discussion Items
		1. Discussion Regarding 2008 Audit (J. Wadman).
		2. APAC Business Plan Presentation (C. Shrum).
		3. Discuss Commission Meeting Schedule Including Meeting Times and Frequency (A. Hart).
VI.	5:05	Other Business
VII.	5:10	Adjourn

- I.

Meeting Called to Order

Commission Chair Anne Beebe-Center called the August 11, 2009 regular meeting of the Knox County Commission to order at 4:04 p.m.
- II.

Public Comment

Commission Chair Anne Beebe-Center asked for public comment. There was none.

III. Consent Items

1. Approve Items as Presented:
- a.

Approve Agenda - Non Agenda Items Only Permitted if
Emergency in Nature.
- b.

Approve Minutes of Special Commission Meeting of July
14, 2009.
- c.

Approve Minutes of Special Commission Meeting of July
30, 2009.
- d.

Accept Monthly Written Departmental Reports.
- e.

Approve Reserve Withdrawals.
- f.

Approve Budget Line Transfers.
- A motion was made by Commissioner Richard Parent to approve the consent items as
presented. The motion was seconded by Commissioner Roger Moody. A vote was taken
with all in favor.

Reserve Withdrawals:

Legal Expense	20000812650	\$182.84
	Total	\$182.84

Budget Line Transfers:

Transfer From:			Transfer To:		
Building Mnt. - Supplies	006005-55325	\$20.00	Building Mnt. - Postage	006004-54520	\$20.00
Communications - Pagers	518004-54320	\$379.00	Electricity	518004-54555	\$379.00
Communications - Equip. Repairs	518004-54575	\$2,000.00	Radio Repairs	518004-54580	\$2,000.00
Jail - Corrections Officers	008003-53289	\$56,525.00	Jail - Part Time	008003-53820	\$36,286.00
Jail - Programs Officers	008003-53282	\$3,475.00	Jail - Overtime	008003-53800	\$34,505.00
Jail - Workers' Compensation	008003-53920	\$7,594.00	Hourly Differential	008003-53850	\$2,116.00
Jail - Food Services	008003-53283	\$5,313.00			
Sheriff – Computer Lines	011004-54735	\$60.00	Sheriff - Airline	011004-54690	\$60.00
Sheriff – Patrol Deputies	011003-53316	\$24,410.00	Sheriff - Detectives	011003-53319	\$24,410.00
Total:		\$99,776.00	Total:		\$99,776.00

IV. Action Items

1. Act on Decision of Tax Abatement Appeal: Thomaston Auction Properties, LLC vs. Thomaston Board of Assessors.
Commissioner Roger Moody acknowledged that this was his first experience with a tax abatement appeal and had spent a lot of time reviewing the information presented. He commented that it was his understanding that the Commission needed to make a decision at this meeting, followed with a written decision to be mailed to the applicant. Commissioner Roger Moody stated that he was prepared to make a motion.
- A motion was made by Commissioner Roger Moody stating that the Knox County Commission finds that the Town of Thomaston’s assessment in the amount of \$773,404.00 in relation to just value to be that; based on the information provided at the Commission meetings held on June 5, July 14 and August 11, 2009. The Knox County Commission affirms the value of the Thomaston Place Auction Galleries LLC at 55 Atlantic Highway Thomaston, Maine having a just value of \$773,404.00. This decision is based on the fact that there was no evidence of discrimination. The assessment was not fraudulent, dishonest or illegal. The motion was seconded by Commissioner Richard Parent for discussion.
- For discussion purposes, Commissioner Richard Parent stated that he did not necessarily agree with the number, but there was nothing presented to persuade him otherwise. He voiced his opinion by stating “once a chicken house, always a chicken house”.
- Commissioner Roger Moody commented that the decision could be appealed within 60 days.
- Commission Chair Anne Beebe-Center called for a vote.
- A vote was taken with two in favor and one opposed (Commissioner Richard Parent).

2. Act to Authorize the County Administrator and Director of Communications to Solicit Request for Proposals for Radio Console Replacements and Upgrades (A. Hart, L. Lothrop).

Communication Director Linwood Lothrop stated that he was asking for authorization to go out to bid for radio console replacements and equipment upgrades. The communications department is in the process of installing a new system and has run into problems. All back room wiring is in poor condition and is the source of many radio communication problems.

Director Lothrop explained that he was also looking toward the future. Currently the radios are maxed out at 12 channels and communications needs to move forward to a 48 channel capacity.

The console furniture is old, not ergonomically correct and replacement parts are not available.

A meeting was held on July 21, 2009 with the radio techs with a long discussion on how to move forward and solve some of the issues regarding optimum dispatch services. Tomorrow night there is a meeting of the dispatch advisory board with a presentation on dead spot, tower locations, maps and other issues.

One of the vendors went sold the business so there has been a lack of radio equipment support. The plan is console replacement and upgrading of the backroom equipment.

Chief Charles Jordan of the Rockland Fire Department and Chief Chris Farley of the Camden Fire Department were present and spoke in support of the RFP on behalf of the Knox County Fire Chiefs. It was suggested that in order to resolve issues relating to improved dispatch service, the commission needed to endorse this request to purchase new consoles and equipment.

Commissioner Roger Moody asked about the upgrades in relation to the space needs issue and how easy would it be to move the equipment to another location.

Director Lothrop commented that it was never easy to move communication equipment, but this was a separate issue from the space needs issue. The equipment was old, having been purchased in 1990. There was an immediate need for the upgrades to provide adequate dispatch service to the community. The space issue has been an on-going issue for the last ten years and is independent of the quality of service provided issue.

The fire chiefs have met and support the purchase for the new equipment because of the dissatisfaction with the service provided by the current infrastructure. The dissatisfaction is at a level that the fire chiefs have considered going to their towns to suggest pulling out of the PSAP if the Commission does not approve the purchase of new consoles and new supporting backroom equipment. There was a structure fire in the Town of Washington and it could not be toned out. The calls had to be made by telephone to get responders to the scene.

Commission Chair Anne Beebe-Center asked for a motion.

- A motion was made by Commissioner Richard Parent to go out to bid for radio console replacements and equipment upgrades. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

County Administrator Andrew Hart explained that a request for proposals would be drafted and presented at the September Commission meeting for approval.

Commissioner Richard Parent asked how long it would take to complete the project. Communications Director Lothrop responded that it would take 30 days to complete. Waldo County is the backup for Knox County and will provide assistance and space for Knox to dispatch from their communications center during the two day down time.

County Administrator Andrew Hart reported meeting with the communications director, radio techs, vendors and the Communications Advisory Committee several times to develop a plan for improving the infrastructure as well as the towers and their locations. Several proposed sites for the additional towers have not been approved. A communications plan for better service and the elimination, or at least a reduction of dead spots is needed because of the safety issue.

- A vote was taken on the motion (to go out to bid for radio consoles and equipment upgrades) with all in favor.

3. Act to Authorize the County Administrator to Negotiate a Contract for the Granite Steps Replacement Project and Finance Office Window Replacement Project (A. Hart, L. Lothrop).

County Administrator Andrew Hart explained that the granite steps in front of the old section of the courthouse need to be replaced because of the shifting of the steps and gaps between the steps. Upon investigation, it was discovered that the underpinning brick work, that supports the

steps, has deteriorated to the point where it is collapsing. The replacement cost is in the 2009 budget.

The request for proposals was distributed at the pre-bid meeting with three vendors last week. The proposals are on August 17, 2009. Mr. Hart reported that the plans have been submitted to the City of Rockland and a building permit is expected to be issued.

The plans and bid specifications were submitted to the Historical Preservation Commission for approval because the old section of the courthouse is an historical building. The project was approved with one minor change and that was the type of mortar specified.

Because the project was expected to begin before the next Commission meeting, the county administrator was requesting authorization to negotiate a contract to complete the project. It needs to be completed this fall. Once the project is completed, the employees will be able to use it as an entrance and exit with their key cards. It will not be a public entrance.

Commissioner Roger Moody suggested putting up additional signage to direct people using that area of the building. He asked if an engineer was used on the project. Mr. Hart reported that Randy Scamfer of Warren was the engineer for the project and would be monitoring the project as it progresses toward completion.

County Administrator Andrew Hart reported that the window replacement project consisted of replacing nine windows; eight in the finance office and one in the Registry of Deeds. The current windows leak. The cost of the project, an estimate of \$10,000.00, was put in the 2009 budget. It may cost more than that and other funds may be needed. The County has an energy efficiency application submitted that may also help fund this and other energy related projects.

- A motion was made to authorize the County Administrator to negotiate a contract for the granite steps replacement project and finance office window replacement project by Commissioner Roger Moody. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

4. Act on Approval of Two Appointments to the PENQUIS Knox County Steering Committee (A. Hart).

County Administrator Andrew Hart reported that there are two vacancies. The first was created by Commissioner Anne Beebe-Center when she began working for PENQUIS. Chris Rector has been recommended to fill the vacated seat. Ann Matlack was recommended to fill the other vacated seat.

- A motion was made by Commissioner Richard Parent to approve the two nominations (Chris Rector and Ann Matlack) to the PENQUIS Knox County Steering Committee. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

5. Act on Contract Extension for County Administrator (A. Hart).

There being no discussion, Commission Chair Anne Beebe-Center called for a motion.

- A motion was made to approve the contract extension for County Administrator by Commissioner Roger Moody. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

V. Discussion Items

1. Discussion Regarding 2008 Audit (J. Wadman).

Auditor James Wadman explained that he would be touching on some of the information presented in the County's audit for 2008. Starting with pages one and two, which is the opinion letter, Mr. Wadman stated that the County has a clean audit opinion on both the financial statement presentation and the compliance with the spending of federal grants funds.

Pages three through six are a narrative discussion of the financial highlights of the County for the calendar year 2008. There are a few things of note. In the middle of page 3, there is the section entitled "Fund Highlights". This section reports the fund balance of \$3,329,682.00 with \$1,310,633.00 being the undesignated fund balance (surplus) at the close of the year ending December 31, 2008. The undesignated fund balance represents approximately 18.4 percent of the total general fund expenditures for the year. A year ago the undesignated fund balance for the County was 13.2 percent. After checking with Maine Municipal Association (MMA), the recommended figure for surplus is between 10 and 12 percent each year.

Mr. Wadman asked what the County had used some of the surplus funds for in 2009. Finance Director Kathy Robinson explained that \$100,000.00 was used to reduce tax assessment to the towns. It was a conservative amount because the change with the jail budget being overseen by

the State. Funding of the jail has to be kept separate from the funding for the other departments. Moving forward with the jail budget being separate, the jail surplus also has to be kept separate. The surplus figure of \$1.3 million in 2008 included the jail surplus.

At the bottom of page 5, reference is made to the County's fund balances of \$3,329,682.00, which is an increase of \$492,156.00 in comparison with the prior year.

Commissioner Roger Moody asked if some of this money was because the County did not purchase the property on Old County Road. Mr. Wadman said this was a combination of expenses and revenues. Page 27 shows \$107,476.00 in revenues came in below budget, mostly due to the Registry of Deeds not receiving the estimated revenue. Pages 28 and 29 show a summary of departmental expenses with \$802,905.00 budgeted, \$7,475,888.00 actually spent, which resulted in the County being \$553,171.00 under budget.

Page 30 is the summary of the undesignated fund balance, with an increase of \$345,695.00, which is the result of combining the revenues and the expenditures.

It was suggested that although the surplus was higher than the recommended figure, there were other considerations, such as the airport projects, specifically the terminal building. Other capital improvement projects were taken out of the 2009 budget and would need to be funded in 2010.

Finance Director Kathy Robinson reported that she did a cost comparison of the audits over the past several years. This year's cost was down by 18 percent, which means the County is improving its methods of preparing for the annual audit. From 2006 to 2008, the actual cost of the audit has decreased by \$9,000.00, which represents a lot of billable hours.

The reserve accounts' details are on page 37. Approximately \$140,000.00 was added to the reserve accounts in 2008.

Pages 41 to 49 address the County's compliance with federal grant projects. A lot of progress has been made in the time it takes to complete the audit for the airport projects.

The only thing for a finding in the audit is the fact that the auditor drafts the financial statements. This is very common among the auditor's clients.

Commissioner Roger Moody asked what the auditor's client base was. Mr. Wadman explained that Knox County was the only county, but their client base consisted of 55 municipalities, 40 school districts, and some non-profits, such as solid waste facilities.

2. APAC Business Plan Presentation (C. Shrum).

Airport Manager Jeff Northgraves informed the Commission that there is a Public Hearing scheduled for August 20, 2009 on the Terminal Building and the Business Plan. The APAC Business Plan Subcommittee has been meeting for two years. There was a public hearing held a year ago to present a conceptual overview on the subcommittee's mission and goals, which was subsequently revised.

The Business Plan Subcommittee is close to creating a business plan document, but needs the support of the Commission and the public. There are still some issues that both the APAC and the Business Plan Subcommittee are still reviewing. The commissioners have been kept up to date on most of the plan. The only new item is the "performer" or schedule of long term improvement plans and the associated costs over the next 20 years. The major concern is what the impact will be to the taxpayers as the costs of improvements and operations of the airport increase over the next twenty years that the plan encompasses. The impact has been calculated at \$1.33 a year for a \$50,000.00 increase in expenditures at the airport, based on a \$200,000.00 home. When that information was presented to the subcommittee members, the response was that they did not want increase the airport's revenue generating capacity because it would mean putting down concrete and building buildings. The consensus was that it was the taxpayers' obligation to support airport operations and improvements. This issue will be brought up at the next APAC and subcommittee meeting.

Mr. Northgraves commented that he was surprised by this reaction because he thought it was his and County's responsibility to find avenues to generate revenue, thus reducing the burden on the taxpayers to support airport operations.

Commissioner Anne Beebe-Center commented that by using FAA funding for airport improvements that the County was obligated to put those funds to good use and develop a sound business plan which would include means of generating revenue.

The FAA's main focus is safety. Their secondary focus is to insure that the airport provides an appropriate transportation link to the area and the global transportation system. The third focus is making the airport economically feasible by insuring that improvements made will last and not have to be replaced frequently, thus saving federal tax money.

Airport Manager Jeff Northgraves explained that the number one revenue generating resource is the hangars at the airport. If additional hangars are not built or part of the plan, then this will have to be explained to the FAA.

The Public Hearing will introduce the business plan and the terminal building. The push is to get the documents in order so that the terminal building project can be bid this fall. The reasoning is that there are still stimulus funds available, but there is a limited amount of time to apply for the funding. If the airport manager is able to call the FAA tomorrow and tell them that the project is a "go" with or without a bond, the money should be available and that would save the County \$86,000.00. There has been discussion on the use of surplus for the project.

Airport Manager Jeff Northgraves said that he was not looking for approval for the use of surplus at this time, but rather approval to move forward with the terminal building project.

If the County had to go out to referendum to obtain a bond to fund the project, there has to be public hearings prior to the November ballot. This is one of the reasons to hold the public hearing now.

Chris Shrum commented that the current terminal building has outlived its functional service and needs to be replaced. Given the opportunity for getting stimulus money and other funding, it did not make sense to replace the current trailer with new trailers.

The overall cost of the project, with the exception of landscaping and county employee furniture, is \$4 million with \$3.2 million in federal funds, \$86,000.00 in state funds and \$634,000.00 in county funds. The airport has \$400,000.00 in surplus and reserves. Some of this money has already been committed to other projects. Mr. Northgraves explained that the County needed to commit approximately \$350,000.00 to the project, which is expected to be completed in two years.

Mr. Northgraves reported that there were four phases to the project. The first is one of demolition. The old Downeast Air building has to be torn down because this is the proposed building site for the new terminal building. Operations can continue out of the old terminal trailer. Many construction projects are coming in under bid because of the economy. It is possible that the project may not cost as much as anticipated. The TAN is used before reimbursement requests for funds are received from the FAA.

Chris Shrum distributed copies of the performer, or schedule, of airport improvements. Several assumptions were included in the schedule; for instance, the use of reserves and surplus to keep operational costs down. Depreciation of equipment was figured into the plan to assist in planning for replacements. The subcommittee approved the initiation of a passenger facility charge of up to \$4.50 per person using the connecting flight service to Boston. The island passengers would not be charged this fee. This fee charge is expected to be implemented in 2010. This is an additional source of revenue.

The committee looked at the staffing issue to plan for continuity of staff and means to assure there was a consistent level of expertise in several of the airport positions. A part-time position has already been approved. The airport manager's salary is below market level and the plan was to increase the salary over a five year period to be on par with the market. The plan includes adding the position of assistant airport manager in 2016 to assist the manager and will assume some of the responsibilities shared by security, the manager and the maintenance supervisor.

Another addition is money for advertising to attract passengers.

The plan shows the terminal building having a number of costs associated with it including \$50,000.00 for the bond. This would only be needed if the County has to go out to referendum to borrow \$500,000.00 for the terminal building. There are costs associated with the terminal building to cover custodial services, occupancy utilities, and porous pavement vacuuming. It is anticipated that there will be additional revenue sources, such as additional hangars.

Additional excise taxes are anticipated to start being received in 2015. It is expected that a profit may be realized by 2017 with the proposed scenario as outlined in the performer.

Commissioner Roger Moody asked if there is a net income amount allowed by the FAA. The FAA rule is that any money generated by the airport must stay within the airport budget. If the County used County surplus to fund the project, then it may be possible to reimburse the County for their expenditure on behalf of the airport. This issue would have to be researched for a definitive answer from the FAA.

Commissioner Roger Moody asked if there were be any other public hearings planned. Airport Manager Jeff Northgraves responded that there would have to be public hearings if the funding for the terminal building had to be obtained through a bond. Whether or not to go out to referendum for a bond is a question of deciding the best way to fund the project, not whether or not the project is needed.

Commissioner Anne Beebe-Center suggested that there appeared to be some urgency to respond to the FAA and be eligible for the stimulus money. It was noted that with the jail bond being retired, that this was a good opportunity to move forward with the terminal building project.

- A motion was made by Commissioner Richard Parent to authorize the airport manger to contact the FAA and proceed with applying for the stimulus money, knowing that the County will provide the County's share of the cost of the project. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

It was suggested that the airport manager write a press release on the terminal building project and business plan for distribution. It could also be posted on the County's web site.

3. Discuss Commission Meeting Schedule Including Meeting Times and Frequency (A. Hart).

County Administrator Andrew Hart explained that this item has been discussed several times. It was brought up at the July staff meeting. There was a memo written to the Commission regarding the time of the meetings. The department heads wanted the Commission meetings to take place during the regular work day. Some department heads had conflicts with other meetings that they attend.

Commissioner Richard Parent commented that he did not have a problem with changing the time of the meetings. It was noted that perhaps changing the meeting time might be difficult for the other commissioners. Commissioner Anne Beebe-Center said that she could adjust her schedule if need be. The change to later in the day was to see if more of the public would attend the meetings. The attendance has not changed because the attendance is based on the interest in the agenda items.

Commissioner Richard Parent suggested having the work session for September scheduled for noon with the regular meeting at 2:00 p.m. The time for meeting with the Budget Committee will probably stay the same. It was noted that the meetings with the towns on the fiscal year change will be scheduled soon and probably take place in the early afternoon.

VI. Other Business

1. Item for Next Month's Meeting Agenda.

Commissioner Richard Parent reported having been contacted by Esther Clenott, former Cumberland County Commissioner, requesting to be on the agenda for the next work session scheduled for September 8, 2009. She now works with Good Will of Northern New England, who has the work force investment contract for the six counties. This will be an opportunity for the commissioners to learn about the organization. Waldo, Knox and Lincoln Counties have been served by Mid-coast CAP in Bath and will now be served by Good Will of Northern New England. Commissioner Anne Beebe-Center offered to contact Ms. Clenott and have her contact the county administrator.

2. Jail Budget Update.

County Administrator Andrew Hart explained that the 15 county 2010 jail budgets were approved last week. Knox County's jail budget was approved with a cap of \$3,188,700.00. The original request was for approximately \$3.7 million and decreased to \$3,315,292.00 which is over the cap by \$126,592.00. The \$126,592.00 comes from the investment fund which the Board of Corrections (BOC) oversees. The BOC allowed an increase of five percent and Knox County's increase was at four percent. Work on the 2011 jail budget is expected to begin in October, 2009.

3. Landscape Project.

County Administrator Andrew Hart explained that the courthouse grounds needed work. The original landscape plan has been revised and is expected to be presented to the Rockland City Planning Board for approval. The revised plan encompasses new plantings, featuring grass areas as well as flower beds. The State has agreed to pay for half the cost of the landscaping project.

The County will be responsible for the maintenance of the grounds. It was suggested that a capital improvement plan be developed to maintain the courthouse property to insure its upkeep.

4. Fiscal Year Change.
County Administrator Andrew Hart reported meeting with Finance Director Kathy Robinson to discuss making a change to a fiscal year. The four largest towns were contacted to schedule a meeting to discuss the issue of changing to a fiscal year. Several towns are already on a fiscal year and have had their budgets approved. It may not make sense to change this year, but the discussion would indicate if this is something the towns want the County to pursue.

VII. Adjourn

- A motion was made by Commissioner Roger Moody to adjourn the meeting. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

The meeting adjourned at 6:04 p.m.

Respectfully submitted,

Constance Johanson

The Knox County Commission approved these minutes at their regular meeting held on October 13, 2009.

Anne H. Beebe-Center, Chair – Commissioner District #1

Richard L. Parent, Jr. – Commissioner District #2

Roger A. Moody – Commissioner District #3